

10-81-01

A - Box 529

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
D-0021.5B-2Total Pages in this Submission  
4**TO THE ASSISTANT COMMISSIONER FOR PATENTS**Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

MN Gene and Protein

and invented by:

Jan Zavada, Silvia Pastorekova and Jaromir Pastorek

J1040 U.S. PTO  
09/967237  
09/27/01If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/178,115

Which is a:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 08/787,739

Which is a:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 08/485,049

For additional priority information, see Preliminary Amendment.

Enclosed are:

**Application Elements**

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 122 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

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## Application Elements (Continued)

3. ☒ Drawing(s) (when necessary as prescribed by 35 USC 113)
- a. ☐ Formal Number of Sheets \_\_\_\_\_
- b. ☒ Informal Number of Sheets 16
4. ☒ Oath or Declaration
- a. ☐ Newly executed (original or copy) ☐ Unexecuted
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation By Reference (usable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Program in Microfiche (Appendix)
7. ☒ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)
- a. ☒ Paper Copy
- b. ☒ Computer Readable Copy (identical to computer copy)
- c. ☒ Statement Verifying Identical Paper and Computer Readable Copy

## Accompanying Application Parts

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
12. ☒ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail (Specify Label No.): EJ652270716US

# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

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Docket No.  
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## Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Additional Enclosures (please identify below):

Credit Card Payment Form;  
Appendices 1 and 2;  
Application Data Sheet;  
Submission of Sequence Listing

## Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

17. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

## Warning

**An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.**

# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
D-0021.5B-2

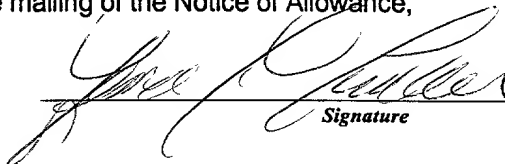
Total Pages in this Submission  
4

## Fee Calculation and Transmittal

### CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	29	- 20 =	9	x \$18.00	\$162.00
Indep. Claims	3	- 3 =	0	x \$80.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$710.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$872.00

- ☒ Charge to credit card. Credit Card Payment Form enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 12-0615 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_ as filing fee.
  - ☐ Credit any overpayment.
  - ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
  - ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

  
Signature

Dated: September 27, 2001

cc:

Certification Under 37 CFR 1.10

I hereby certify that this paper and the documents referred to as attached therein are being deposited with the United States Postal Service on the date shown below in an envelope "Express Mail Post Office to Addressee" mailing Label Number EJ652270716US addressed to the: Commissioner for Patents, Box PCT, United States Patent and Trademark Office Washington, D.C. 20231.

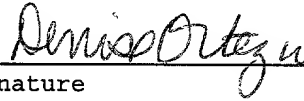
Denise Ortega

Name

September 27, 2001

Date

Signature



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jan Zavada et al.

Group:

Serial No.:

Group Art Unit:

Filed :

Examiner:

For : MN Gene and Protein

SUBMISSION OF SEQUENCE LISTING

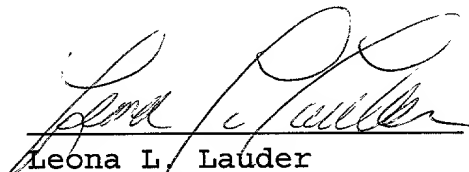
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants submit the enclosed Sequence Listing of the nucleotide and amino acid sequences contained in the above-identified application. Also enclosed is a computer readable copy of the Sequence Listing. The nucleotide and amino acid sequences are presented in a form which conforms with the requirements of 37 CFR Sections 1.821 through 1.825.

The undersigned Attorney for the Applicants states that the contents of the Sequence Listing and the computer readable form are the same and include no new matter in accordance with 37 CFR Sections 1.821(f), 1.821(g) and 1.825(b).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Leona L. Lauder', is written over a horizontal line.

Leona L. Lauder  
Attorney for Applicants  
Registration No. 30,863

Dated: September 27, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jan Zavada et al.

Serial No.:

Group Art Unit:

Filed :

Examiner:

For : MN Gene and Protein

CERTIFICATION UNDER 37 CFR 1.10

Assistant Commissioner for Patents  
BOX PATENT APPLICATION  
Washington, D.C. 20231

Sir:

I hereby certify that the enclosed papers relating to the filing of a divisional application of U.S. Serial No. 09/178,115 (filed October 23, 1998) are being deposited with the United States Postal Service on September 27, 2001 in an envelope with sufficient postage for Express Mailing with "Express Mail Post Office to Addressee" Mailing Label Number EJ652270716US addressed to the: Assistant Commissioner for Patents, BOX PATENT APPLICATION, Washington, D.C. 20231.

Respectfully submitted,

  
\_\_\_\_\_  
Denise Ortega

Dated: September 27, 2001